

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 25th DAY OF AUGUST 2003, AT 7:15 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Larry N. Rush	-Chair
	Annette S. Perkins	-Vice Chairman
	Mary W. Biggs	-Supervisors
	Gary D. Creed	
	James D. Politis	
	C.P. Shorter	
	Jeffrey D. Johnson	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T.C. Powers, Jr.	-Planning Director
	Robert C. Parker	-Public Information Officer
	Steve Sandy	-Zoning Administrator
	Robert Pearsall	-GIS Manager
	Vickie L. Swinney	-Secretary
ABSENT:	John A. Muffo	-Supervisor

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Chair called the meeting to order and the Pledge of Allegiance was recited.

PUBLIC HEARINGS

Proposed Conveyance of a Non-Exclusive Right-of-Way - Texas Road

Proposed conveyance of a nonexclusive, perpetual forty (40') foot right of way from Woods Vista Drive along an existing gravel road, referred to as Texas Road. The proposed right of way shall be 10 feet on the west side of the centerline of Texas Road and 30 feet on the east side of the centerline. The right of way will be conveyed from three separate tracts of land owned by the County in Plum Creek, Riner Magisterial

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District of Montgomery County, designated as Tax Map #090-C-15A (1 acre); Tax Map #090-C-A-31A (3 acres); and Tax Map #090-C-17-A (4 Acres) respectively.

The following citizens spoke regarding this matter:

Robin Reed voiced her concerns with the proposed conveyance of right-of-way on Texas Road. According to her deed, she is responsible for upkeep of the right-of-way and is concerned about having responsibility for a road that would lead into a subdivision.

James Sargent addressed the Board about Eagle View Drive located off Old Pike Road in Pilot. Eagle View Drive is a private road located in Floyd County but the entrance to the road is in Montgomery County. They have requested the Virginia Department of Transportation to take this road into the state system. They were told that the owner of the property at the entrance is not willing to convey, sell or donate the needed right-of-way in order for VDOT to take over the maintenance. He also stated that the developers have not abided by the contract in their deed concerning the road. They were told that the road would become a public road once three or more houses were built in the subdivision. There are six houses on the road now and they cannot get the developer to abide by the contract . Mr. Sargent asked for the Board's help to resolve this matter.

Mr. Sargent also submitted a petition for a 25 mph speed limit be posted on Old Pike Road (SR 615) at the entrance of Gold Rush Road, to the County Line.

Ralph Martin addressed the Board concerning his request for a 40 ft. right-of-way on Texas Road. Mr. Martin owns a 91 acre lot on Texas Road and would like to subdivide the lot into two 45 acre parcels. He would keep a 45 acre lot and sell the other 45 acre lot. In order to do this he has to have a 40 ft. right-of-way and he currently has only a 20 ft. right-of-way.

Mrs. Barry Turpin expressed her concerns with increased traffic and speeding on Texas Road. She asked if the road will be extended if a subdivision is built. If so, a speed limit sign will need to be posted to control the excessive speeding.

Barbara Hinkley expressed concerns with the proposed conveyance of right-of-way. She asked if this will effect the Montgomery County Park on Texas Road in any way. She also expressed concerns with subdivision being built on Texas Road.

The Chairman explained that Ralph Martin would like to subdivide his property on Texas Road. In order to do so, a 40 ft. right-of-way is needed and Mr. Martin only has a 20 ft. right-of-way. Therefore, Mr. Martin is requesting the County to convey a 40 ft. right-of-way in order to subdivide his property. There will be no improvements to the road due to Texas Road being a private road. Also, the county park will not be effected in any way. The conveyance of right-of-way will be taken from the other side of the road

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from the park. Chair Rush explained that once the property is sold and if a subdivision is proposed then the developer will have to submit an application to the Board of Supervisors for approval and a public hearing will be held on the matter. If any of the property have any other concerns or questions the Chairman suggested they can contact the County Attorney.

There being no further speakers, the public hearing was closed.

Amendment to Chapter 8, Article III, Section 8-64 of the Code of the County of Montgomery, Virginia Entitled Erosion and Sediment Control Proposed Amendment to Chapter 8, Article III, Section 8-64 of the Code of the County of Montgomery, Virginia, Entitled Erosion and Sediment Control by Requiring Certain Information Before Land Disturbing Activities Take Place and by Waiving the Certificate of Competence Requirement for an Agreement in Lieu of a Plan.

There being no speakers, the public hearing was closed.

Amendment to Chapter 3, Sections 3-7, 3-28, 3-28.5, 3-28.7, 3-33, 3-50, 3-52 of the Code of the County of Montgomery, Virginia Entitled Animals

An Ordinance amending Chapter 3, Sections 3-7, 3-28, 3-28.5, 3-28.7, 3-33, 3-50, 3-52 of the Code of the County of Montgomery, Virginia Entitled Animals in Order to Comply with Various State Enabling Legislation Changes.

There being no speakers, the public hearing was closed.

PUBLIC ADDRESS

James Oliver, Unlimited Construction, addressed the Board with concerns he has with the inspection scheduling in the Building Inspections Office . Mr. Oliver stated that there is a growing concern that inspections are not done in a timely manner. He stated it takes in excess of 5 days before an inspection is done after the inspection is scheduled. The application states the inspection will be done in 48 hours. . He noted that delay in inspections costs contractors and the county money. Mr. Oliver pointed out that his concern is with the delayed inspections and not with the quality of work by the building inspector. He asked the Board to make sure the Building Inspectors Office is properly staffed and managed to insure timely inspections.

There being no further speakers, the public address session was closed.

ADD TO THE AGENDA - ADDENDUM

On a motion by Mary W. Biggs, seconded by C.P. Shorter and carried unanimously, the following addendum dated August 25, 2003 was added to the agenda:

Resolution of Support - The Application For Hazard Mitigation Grant Program Funds

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
Gary D. Creed		
James D. Politis		
C.P. Shorter		
Mary W. Biggs		
Larry N. Rush		

CONSENT AGENDA

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated August 25, 2003 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	John A. Muffo
James D. Politis		
C.P. Shorter		
Mary W. Biggs		
Annette S. Perkins		
Larry N. Rush		

Metropolitan Planning Organization - Advance of Funds

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2004, for the function and in the amount as follows:

02-451300 Advance to Metropolitan Planning Organization \$45,000

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

02-451203 Undesignated Fund Balance \$45,000

Said appropriation is to provide MPO funds prior to receipt of state reimbursement.

Fairview District Home - Transfer from General Contingencies

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer is authorized, as follows:

FROM:

950 General Contingencies (\$15,190)

TO:

910 Fairview District Home \$15,190

Said resolution transfers appropriated funds from General Contingencies for the Fairview Home to pay the County's share of the shortfall in operating funds.

Hazard Mitigation Grant Program – Property Acquisition

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Hazard Mitigation Grant Program (Virginia Department of Emergency Management, Federal Emergency Management Agency) provides for the acquisition of properties with loss claims in order to reduce or eliminate long-term risk to people and property from natural hazards; and

WHEREAS, Montgomery County is eligible to apply for funding under the Hazard Mitigation Grant Program due to the Winter Storm/Flooding of 2003 (DR-1458); and

WHEREAS, The property owner at 764 Elliot Creek Road desires his property (tax parcel # 108-A-42A) be acquired by Montgomery County under the Hazard Mitigation Grant Program.

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NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia authorizes the acquisition of the property at 764 Elliot Creek Road by Montgomery County under the Hazard Mitigation Grant Program and accepts responsibility for the routine maintenance of this property which shall remain in open space.

BE IT FURTHER RESOLVED, The County Administrator is hereby authorized to sign and submit the application for this proposal under the Hazard Mitigation Grant Program.

OLD BUSINESS

Authorization to Proceed - Courthouse Renovation Project

Supervisor Perkins made a motion, seconded by Supervisor Biggs to approved the proposed resolution to move forward with the courthouse renovation project.

Following Discussion by the Board, on a substitute motion by James D. Politis, seconded by Gary D. Creed and carried,

WHEREAS, By letter dated October 28, 1997, to the Chair of the Montgomery County Board of Supervisors, the Judge of the Circuit Court stated that plans should be made to remove all county offices from the courthouse by 2001; and

WHEREAS, On January 8, 2001 the Board of Supervisors agreed to award a contract for Architectural/Engineering services for the courthouse project to Dalgliesh, Eichman, Gilpin & Paxton, P.C. for Part One of the Project; and

WHEREAS, On October 9, 2001 the Montgomery County Board of Supervisors approved a resolution declaring its intent to reimburse itself from proceeds of tax-exempt financing for expenditures made on behalf of the county courthouse project; and

WHEREAS, On October 9, 2001, the Montgomery County Board of Supervisors adopted a resolution advancing \$1,000,000 from the General Fund for expenditures in advance of bond proceeds for the courthouse project for architectural services through Dalgliesh, Eichman, Gilpin & Paxton, P.C.; and

WHEREAS, On November 14, 2001 the Montgomery County Board of Supervisors appropriated \$150,000 for the purchase of property located at 11 East Main Street for potential use in the courthouse project; and

WHEREAS, In January 2002 county offices vacated the courthouse; and

WHEREAS, On April 22, 2002 the Board of Supervisors held a work session to receive preliminary information on the courthouse project from the architect; and

WHEREAS, The architect provided schematic drawings in a plan to meet the space needs of the courts for up to 25 years; and

WHEREAS, On June 2, 2003 the Board of Supervisors held a work session to receive information from the architect on the courthouse project and were informed that the cost estimate for a 10-year plan to address space needs would cover 81% of the plan to address space needs for 25 years; and

WHEREAS, On July 14, 2003 the Board of Supervisors held a work session on the courthouse project to review costs associated with beginning the project in July 2003 or deferring the project two or more years; and

WHEREAS, Deferring the project several years could likely increase costs significantly, should construction costs increase and interest rates rise; and

WHEREAS, The payment of debt service costs may require a 1 to 2 cent increase in the real estate tax rate to generate sufficient resources to cover the cost.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia agrees to take the first step by proceeding with the renovation of Building C of the Montgomery County Government Center including parking facilities for temporary relocation of the courts, and plan to issue bonds in the fall of 2004, or earlier if deemed more cost-effective and to obtain additional information on how the future of the Jail will relate with the County Courthouse facility before finalizing the Courthouse renovation plan.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	Gary D. Creed	John A. Muffo
Annette S. Perkins		
C.P. Shorter		
James D. Politis		
Larry N. Rush		

Reimbursement Resolution Relating to the Renovations of the Montgomery County Courthouse and the Montgomery County Government Center - Building C Project

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

**Resolution of the Board of Supervisors of
Montgomery County, Virginia Declaring its Intention
to Reimburse Itself from the Proceeds of
One or More Tax-Exempt Financings for Certain
Expenditures Made and/or to Be Made in
Connection with Capital Improvement Projects for the County**

WHEREAS, The County of Montgomery, Virginia (**the "County"**) is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, The Board of Supervisors of the County (**the "Board"**) adopted an initial Reimbursement Resolution in October 9, 2001 relating to the renovation of the County Courthouse Building which is included within the capital improvement projects listed on the **attached Schedule A (the "Courthouse Project")** and desires to incorporate by reference such initial reimbursement resolution to clarify that expenditures relating to the Courthouse Project will be reimbursed from the proceeds of one or more issues of tax-exempt bonds (**the "Bonds"**) and that the estimated maximum amount of tax-exempt financing to be issued for the Courthouse Project has increased to the amount shown on Schedule A; and

WHEREAS, The County has paid, beginning no earlier than June 30, 2003 (60 days prior to adoption of this resolution), and will pay, on and after the date hereof, certain expenditures (**the "Expenditures"**) in connection with the acquisition of certain capital improvement projects, listed on the **attached Schedule A** for the County other than the Courthouse Project (**together, the Courthouse Project and other projects are hereinafter referred to as the "Projects"**); and

WHEREAS, The Board has determined that those monies previously advanced no more than 60 days prior to the date hereof (and as to the Courthouse Project, 60 days prior to October 9, 2001) and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the County for the Expenditures from the proceeds of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA, AS FOLLOWS:

Section 1. The Board hereby declares, in accordance with U.S. Treasury Regulation Section 1.150-2, as amended from time to time, the County's intent to reimburse the County with the proceeds of the Bonds for the Expenditures with respect to the Projects made on and after June 30, 2003 (which date is no more than 60 days prior to the date hereof) and as to the Courthouse Project, August 9, 2001 (which

date is no more than 60 days prior to October 9, 2001). The County reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the County so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County.

Section 3. The maximum principal amount of the Bonds expected to be issued for the Projects shall not exceed \$16,500,000.

Section 4. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Projects are placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED THIS 25TH Day of August, 2003.

“SCHEDULE A”

PROJECTS

Description of Projects

Estimated Amount of Tax-Exempt Financing

Renovation, Construction and Equipping
of a portion of the County
Administration Building (Building C)
for temporary courts facility and subsequent
County- related offices, etc.

\$ 2,500,000

Renovation, Construction and Equipping
of County Courthouse (including Circuit
Court, Family Court, District Court,

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Holding Cells, District and Circuit Court
Clerk's offices and land records,
Commonwealth Attorneys offices and
other county court related offices)

\$14,000,000

TOTAL

\$16,500,000

The vote on the foregoing resolution was as follows:

AYE

Annette S. Perkins
C.P. Shorter
Mary W. Biggs
James D. Politis
Gary D. Creed
Larry N. Rush

NAY

None

ABSENT

John A. Muffo

Merchants Capital Tax - Schedule Public Hearing #1

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that a public hearing is scheduled for Monday, September 22, 2003 at 7:15 p.m., or as soon thereafter, in the Board of Supervisors Meeting Room in the Montgomery County Government Center located at 755 Roanoke, Street, Christiansburg, Virginia in order to consider the public's comments on the proposed changes in the assessment and tax rate of Merchants Capital as follows:

An Ordinance to exempt the first \$1,000 in taxable value (20% of total value); and to reduce the tax rate from \$6.05 per \$100 in value to \$3.03 per \$100 in value.

The vote on the foregoing motion was as follows:

AYE

James D. Politis
Mary W. Biggs
C.P. Shorter
Annette S. Perkins
Gary D. Creed
Larry N. Rush

NAY

None

ABSENT

John A. Muffo

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Merchants Capital Tax - Schedule Public Hearing #2

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that a public hearing is scheduled for Monday, September 22, 2003 at 7:15 p.m., or as soon thereafter, in the Board of Supervisors Meeting Room in the Montgomery County Government Center located at 755 Roanoke, Street, Christiansburg, Virginia in order to consider the public's comments on the proposed changes in the assessment, effective date of assessment and tax rate of Merchants Capital as follows:

An Ordinance to exempt the first \$1,000 in taxable value (20% of total value); to return as merchants' capital the average amount of capital held out for sale on January 1 of each year and the following August 1 of each year; and to reduce the tax rate from \$6.05 per \$100 in value to \$4.50 per \$100 in value.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	John A. Muffo
Mary W. Biggs		
C.P. Shorter		
Annette S. Perkins		
Gary D. Creed		
Larry N. Rush		

Resolution of Support - Application for Hazard Mitigation Grant Program Funds

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously,

WHEREAS, The Hazard Mitigation Grant Program's goal is to reduce losses and suffering so there is less demand for money and resources in the aftermath of a disaster by reducing or eliminating long-term risk to people and property from natural hazards such as flooding; and

WHEREAS, Montgomery County is eligible to apply for funding under the Hazard Mitigation Grant Program through the Virginia Department of Emergency Management and the Federal Emergency Management Agency due to the Presidential Disaster Declaration of the Winter Storm/Flooding of 2003

(DR-1458); and

WHEREAS, The Montgomery County Planning and Inspections Office, Geographic Information Systems Office, Public Service Authority and Sheriff's Office have all submitted pre-applications for mitigation projects totaling approximately \$515,000 and all have been determined to be eligible projects under the Hazard Mitigation Grant Program; and

WHEREAS, These projects are part of an ongoing effort to protect and lessen the impact of disasters upon the families, homes, communities and local economy of Montgomery County; and

WHEREAS, The EMSSTAR Fire and Rescue Report recommends the creation of a countywide warning system and all four (4) projects are identified in the Draft Hazard Mitigation Plan being prepared by the New River Valley Planning District Commission.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia does hereby support these four (4) applications totaling approximately \$515,000 in Hazard Mitigation Grant Funds from the Federal Emergency Management Agency (FEMA) and the Virginia Department of Emergency Management (VDEM)).

BE IT FURTHER RESOLVED, Funding of the approximately \$515,000 for these projects will consist of 75% Federal funds, 20% State funds and 5% in Local funds and in-kind services.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	John A. Muffo
C.P. Shorter		
James D. Politis		
Annette S. Perkins		
Gary D. Creed		
Larry N. Rush		

NEW BUSINESS

Deed of Lease Agreement - Former Meadowbrook Nursing Home

On a motion by Annette S. Perkins, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby approves the Deed of Lease Agreement by and between the Tom's Creek Investors, LLC and the County of

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Montgomery for the building commonly referred to as the former Meadowbrook Nursing Home.

BE IT FURTHER RESOLVED, The Board of Supervisors authorizes Larry N. Rush, Chairman, to sign the Deed of Lease Agreement on behalf of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
C.P. Shorter		
James D. Politis		
Mary W. Biggs		
Gary D. Creed		
Larry N. Rush		

Appointment - MBC Development Corporation

On a motion by Annette S. Perkins, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Mary W. Biggs** to the MBC Development Corporation effective August 26, 2003 and expiring August 25, 2006.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	John A. Muffo
James D. Politis		
Gary D. Creed		
Mary W. Biggs		
C. P. Shorter		
Larry N. Rush		

Resolution of Appreciation-Human Services Commission-Margaret K. Bassett

On a motion by Mary W. Biggs, seconded by C.P. Shorter and carried unanimously,

WHEREAS, Margaret K. Bassett has faithfully served as a member of the Montgomery County Human Services Commission since June, 1997; and

WHEREAS, The County recognizes the excellent and dedicated service that **Margaret K. Bassett** has rendered the citizens of Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to **Margaret K. Bassett**.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to **Margaret K. Bassett** and that a copy be made a part of the official Minutes of Montgomery County.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	John A. Muffo
Mary W. Biggs		
Gary D. Creed		
Annette S. Perkins		
C.P. Shorter		
Larry N. Rush		

INTO WORK SESSION

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Geographic Information System (GIS) Update

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	John A. Muffo
James D. Politis		

C.P. Shorter
Annette S. Perkins
Gary D. Creed
Larry N. Rush

Geographic Information System (GIS)

Bob Pearsall, GIS Manager, gave a brief summary on the GIS implementation for Montgomery County. Mr. Pearsall stated that GIS has played a major role in several areas of the County so far. GIS databases have been created for the GIS Tax Reassessment 2003 web site, internal web site applications for Planning, Erosion and Sediment Control, and EMMSTAR report. GIS analysis has been performed on property values for tax reassessment and they are developing a spatial database structure for the County. GIS can be used in many ways to help departments with their daily work such as the Commissioner of Revenue's office, to help with land use issue and tax assessments. The goals for the future are to implement land development; permitting and inspections; code compliance and zoning; and to create a wireless E911 GIS for public safety and emergency services planning. Also, to create an economic development web site and to help create a database for water/waste water management. The Planning Department is in the process of applying for a federal grant to help update the floodplain maps by GIS.

The Zoning Administrator explained that with GIS he is able to review and analyze requests for rezoning and special use permits. A database of information can be created in the GIS which can create layers of information needed for each request, eliminating the need to search numerous files. For example, by typing in the address of the proposed request the following information could be found: 1) Adjoining property owners; 2) zoning of the property and adjoining property owners; 3) if the property is located in the flood plain; 4) type of soil; 5) tax assessment. The Zoning Administrator stated this was just an example how GIS can be used in the Planning Department and how it makes their jobs more efficient.

OUT OF WORK SESSION

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	John A. Muffo
C.P. Shorter		

Annette S. Perkins
Gary D. Creed
Mary W. Biggs
Larry N. Rush

COUNTY ADMINISTRATOR'S REPORT

The County Administrator received a letter from the Director of the Department of Social Services requesting the Board's support in several legislative issues. Copies of the letter were distributed for the Board's review.

BOARD MEMBERS' REPORTS

Supervisor Perkins Computer Virus Supervisor Perkins requested the Information Management Services (IMS) staff check out her computer due to the recent wide spread computer virus.

Workforce Investment Act The WIA is working on it's strategic plan and is in the process of implementing a web site.

Shelor Park - Supervisor Perkins asked what the status was on the installation of a gate at Shelor Park. The County Administrator reported that a gate has been installed.

Supervisor Politis Service Rings for the Volunteer Fire and Rescue Members Supervisor Politis asked if the Board was still interested in providing service rings for the volunteer fire and rescue members in the County. He pointed out that the Towns of Blacksburg and Christiansburg have already adopted a resolution to provide service rings for volunteers within the Towns. He feels it is only appropriate that the County do the same. He requested this item be on the next agenda for consideration.

Computer Virus - Supervisor Politis asked that someone check his computer also. He has been receiving numerous e-mails with attachments that are infected by the virus. The County Administrator will instruct IMS to check out all the computers.

Supervisor Creed Proposed Park in Elliston Supervisor Creed asked the status of the new park in Elliston. The County Administrator reported that the location and design of the park is pending until a decision is made on the location of the new Elliston Fire Department. It will be located in the Elliston Industrial Park but the design depends on where the fire department and parking will be located. Since there is no time frame on the construction of the fire department, a schedule for construction of the park cannot be set.

Supervisor Biggs Library Board Supervisor Biggs attended the Library Board meeting. The Library Board would like to know the time frame for renovation of the former Meadowbrook Nursing Home for the Allegheny Branch Library. Also, the Library Board requested a meeting with the Board of Supervisors in the near future. Supervisor Biggs believes this meeting can be scheduled as a work session or as a special meeting.

Inspections Department - Supervisor Biggs requested staff to follow up with Mr. Oliver's concerns about the scheduling of inspections.

Supervisor Shorter Parks & Recreation Ballfield Use Supervisor Shorter received a call from Christopher Bishop requesting the use of the ballfields at the Prices Fork Elementary School for practice. The County Administrator directed Supervisor Shorter to inform Mr. Bishop he needs to contact the Parks & Recreation Department to check the schedule of the ballfields.

Warmhearth Village - Blacksburg Transit Supervisor Shorter received a request from Warmhearth Village to see if the Blacksburg Transit could start scheduling bus stops at Warmhearth. Supervisor Shorter realizes this decision to be made by the Town of Blacksburg. The County Administrator will add this to the next agenda for the County/Town Liaison meeting, and the Metropolitan Planning Organization (MPO) meeting.

Service Rings for Volunteer Fire & Rescue Members Supervisor Shorter commented that Mr. Bill Aldridge, who submitted the idea for service rings for the fire and rescue members, stated at one time he would pay for the initial cost of purchasing the rings. He asked if this was still the plan. Supervisor Politis and Supervisor Creed both stated that Mr. Aldridge will not be donating any money towards the rings, he just requested the county to allocate the funding for the service rings.

Supervisor Rush Plank Drive- Speed Limit Signs Supervisor Rush received a call from April Peacock informing him that VDOT installed four 25 mph speed limit signs on Plank Drive. She appreciates all the help from the Board of Supervisors in getting these signs posted.

INTO CLOSED MEETING

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (1) Discussion , Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment,

Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. AFD Advisory Board
2. Community Policy & Management Team (CPMT)
3. Human Services Commission

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	John A. Muffo
C.P. Shorter		
James D. Politis		
Annette S. Perkins		
Gary D. Creed		
Larry N. Rush		

OUT OF CLOSED MEETING

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	John A. Muffo
C.P. Shorter		
James D. Politis		
Annette S. Perkins		
Gary D. Creed		
Larry N. Rush		

CERTIFICATION OF CLOSED MEETING

On a motion by C.P. Shorter, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia

Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Mary W. Biggs
C.P. Shorter
James D. Politis
Annette S. Perkins
Gary D. Creed
Larry N. Rush

NAYS

None

ABSENT DURING VOTE

John A. Muffo

ABSENT DURING MEETING

John A. Muffo

APPOINTMENTS

Agriculture and Forestal District (AFD) Advisory Committee

On a motion by C. P. Shorter, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **William F. Pack, III** to the **Agricultural and Forestal District Advisory Committee**.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
C. P. Shorter	None	John A. Muffo
James D. Politis		
Annette S. Perkins		
Gary D. Creed		
Mary W. Biggs		
Larry N. Rush		

Community Policy And Management Team (CPMT)

On a motion by C. P. Shorter, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Johnny L. Puckett** as citizen representative on the **Community Policy and Management Team (CPMT)** effective August 26, 2003 and expiring August 25, 2005.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
C. P. Shorter	None	John A. Muffo
James D. Politis		
Annette S. Perkins		
Gary D. Creed		
Mary W. Biggs		
Larry N. Rush		

Human Services Commission

On a motion by C. P. Shorter, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Bruce A. Oliver** to the **Human Services Commission** effective August 26, 2003 and expiring August 25, 2006.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
C. P. Shorter	None	John A. Muffo
James D. Politis		
Annette S. Perkins		
Gary D. Creed		
Mary W. Biggs		
Larry N. Rush		

Human Services Commission

On a motion by C. P. Shorter, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Hulannie A. Jenkins** to the **Human Services Commission** effective August 26, 2003 and expiring August 25, 2006.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
C. P. Shorter	None	John A. Muffo
James D. Politis		
Annette S. Perkins		
Gary D. Creed		
Mary W. Biggs		
Larry N. Rush		

ADJOURNMENT

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously, the Board adjourned to Monday, September 8, 2003.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	John A. Muffo
C.P. Shorter		
James D. Politis		
Annette S. Perkins		
Gary D. Creed		
Larry N. Rush		

The meeting adjourned at 10:30 p.m.

ATTEST:

Larry N. Rush
Chair

Jeffrey D. Johnson
County Administrator